

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 07 2007

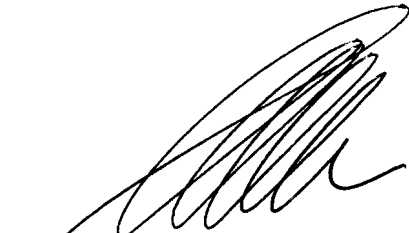
JOHN F. CORCORAN, CLERK
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JULIUS STANLEY WAGNER,)	
Petitioner,)	Civil Action No. 7:07cv00420
)	
v.)	<u>FINAL ORDER</u>
)	
TERRY O'BRIEN, WARDEN)	By: Samuel G. Wilson
Respondent.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that the above-captioned suit is **DISMISSED** without prejudice. Wagner's motion to proceed in forma pauperis [Docket #2] is **DENIED** as **MOOT**. This action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to petitioner.

ENTER: This 7th day of September, 2007.



United States District Judge